



1653

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PTO/SB/21 (08-00)

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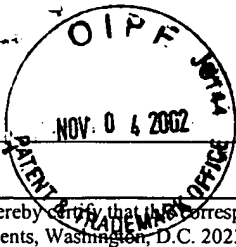
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TRANSMITTAL FORM		Application Number		09/642,609			
(to be used for all correspondence after initial filing)		Filing Date		August 17, 2000			
		First Named Inventor		KUMAGAI, YOSHINARI			
		Group Art Unit		1653			
		Examiner Name		MOHAMED, ABDEL A.			
Total Number of Pages in This Submission		3		Attorney Docket Number		BEAR-004	
ENCLOSURES (check all that apply)							
<input type="checkbox"/> Fee Transmittal Form		<input type="checkbox"/> Assignment Papers (for an Application)		<input type="checkbox"/> After Allowance Communication to Group		<div>RECEIVED NOV 06 2002 TECH CENTER 1600/290</div>	
<input type="checkbox"/> Fee Attached		<input type="checkbox"/> Drawing(s)		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences			
<input type="checkbox"/> Amendment / Reply		<input type="checkbox"/> Licensing-related Papers		<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
<input type="checkbox"/> After Final		<input type="checkbox"/> Petition		<input type="checkbox"/> Proprietary Information			
<input type="checkbox"/> Affidavits/declaration(s)		<input type="checkbox"/> Petition to Convert to a Provisional Application		<input type="checkbox"/> Status Letter			
<input type="checkbox"/> Extension of Time Request		<input type="checkbox"/> Power of Attorney, Revocation		<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):			
<input type="checkbox"/> Express Abandonment Request		<input type="checkbox"/> Change of Correspondence Address		1) Response to Restriction Requirement (2 pgs.)			
<input type="checkbox"/> Information Disclosure Statement		<input type="checkbox"/> Terminal Disclaimer		2) Return Postcard			
<input type="checkbox"/> Certified Copy of Priority Documents		<input type="checkbox"/> Request for Refund					
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		<input type="checkbox"/> CD, Number of CD(s) _____					
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Remarks					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm or Individual Name		PAULA A. BORDEN, Reg. No. 42,344					
Signature							
Date		October 28, 2002					

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**RESPONSE TO RESTRICTION
REQUIREMENT**

Address to:
Commissioner for Patents
Washington, D.C. 20231

Attorney Docket
(Confirmation No.)BEAR004
6929

First Named Inventor

Y. Kumagai

Application Number

09/642,609

Filing Date

August 17, 2000

Group Art Unit

1653

Examiner Name

A.A. Mohamed

Title: *Methods and compositions for reducing serum phosphate levels***RECEIVED**

NOV 06 2002

TECH CENTER 1600/2300

Sir:

This is in response to the Restriction Requirement dated September 30, 2002. The Restriction Requirement set forth a one-month time period for response, making a response due on or before October 30, 2002. Accordingly, this response is timely filed.

I. REMARKS

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-16, drawn to a peptidic compounds and a composition thereof comprising one or more moieties that are phosphorylated *in vitro* or *in vivo* by physiologic enzymes and a method of reducing a phosphate level thereof;
- Group II: Claims 17, drawn to a method of increasing incorporation of phosphorus into bone in an individual by administering the composition recited in claim 17;
- Group III: Claim 18, drawn to a method of increasing bone strength in an individual by administering the composition recited in claim 18
- Group IV: Claims 19, drawn to a method of treating a bone disease in an individual by administering the composition recited in claim 19.

Applicants hereby elect to prosecute the claims of Group I (claims 1-16), with traverse. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-lected subject matter during the pendency of this application.

This election is made with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes